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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,139	09/17/2003	Norbert Ebel	948-001.002	7192

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EXAMINER

CHIEM, DINH D

ART UNIT	PAPER NUMBER
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2883

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/667,139

Applicant(s)

EBEL, NORBERT

Examiner

Erin D. Chiem

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7, 10-14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) 8, 9 and 15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-14 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/17/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of Species A drawn to claims 1-7, 10-14, and 16 in the reply filed on May 27, 2005 is acknowledged.

### *Claim Objections*

2. Claim 1 is objected to because of the following informalities:
  1. In line 14 of claim 1, the recitation *—other elements—* lacks clarity since Applicant uses transitional phrase “characterized in that” which is an open-ended and does not excluded unrecited elements, therefore it is unclear what elements are entirely located in the recess.
  2. In line 16 of claim 1, the recitation *—it—* is indefinite and lacks the element which “it” refers to.
  3. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-<sup>7</sup>~~6~~, 10-14, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Kluitmans et al. (US 5,065,226), will be referred to as Kluitmans.

5. Regarding claim 1-6, 10-13, and 16, Kluitmans teach a laser diode module comprising a circuit board (Fig. 3) formed on a metal base carrier comprising an L shaped conductive part and having a spacer of an insulating material formed from Al<sub>2</sub>O<sub>3</sub>. The module contain the optical elements within a recess (Fig. 2) having a bottom B and an opening with a covering metal lid T.

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On the bottom of the module, there are microstrips coupled to a coaxial transmission line at matching impedance (col. 9, line 35-39). Kluitmans further describe the extension of the microstrips through the coaxial transmission line to the external of the module (col. 9, line 59-62). The conductors taught by Kluitmans end on the contact surface as shown in the drawing numbers 1-14. The conductive blocks CBL, sheet like metal base carrier BC, and conductive side wall  $SW_1$  and  $SW_2$  acts as an active shield around the circuit board to protect the circuitry from the electromagnetic field. Furthermore, carrier base CB, formed of copper, and carrier plate CP acts as a heat sink leading heat away from the laser diode driving circuit from above. Finally the optical fiber F is coupled to the laser diode LD out to the tubular feedthrough FT.

6. Regarding claims 7 and 14, Kluitmans teaches the method of avoiding the reflection phenomenon in coaxial transmission line by suitably selecting the ratio between the inside diameter of the outer guide and the outer diameter of the inner guide, with a dielectric constant of the medium between the guides (col. 9, line 27-36).

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bendelli et al. , Bartur et al., and Althaus et al. all teach a laser module employing microstrips as the impedance matched conductive tracks.

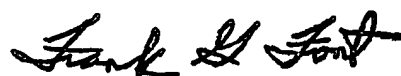
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erin D. Chiem whose telephone number is (571) 272-3102. The examiner can normally be reached on Monday - Thursday 9AM - 5PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Erin D Chiem  
Examiner  
Art Unit 2883



Frank G. Font  
Supervisory Primary Examiner  
Technology Center 2800